

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 14, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE - VAR-33848 - VARIANCE - PUBLIC HEARING - APPLICANT: CLEARWIRE US, LLC - OWNER: NELLIS WFT, LLC - Request for a Variance TO ALLOW 26 PARKING SPACES WHERE 27 ARE REQUIRED on 0.38 acres at 1511 North Nellis Boulevard (APN 140-29-510-026), C-2 (General Commercial) Zone, Ward 3 (Reese)

C.C.: 06/17/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

7

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Condition and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards

Motion made by RICHARD TRUESDELL to Approve subject to conditions

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 1

VICKI QUINN, STEVEN EVANS, GLENN TROWBRIDGE, RICHARD TRUESDELL, BYRON GOYNES; (Against-None); (Abstain-MICHAEL E. BUCKLEY); (Did Not Vote-None); (Excused-KEEN ELLSWORTH)

NOTE: COMMISSIONER BUCKLEY abstained from voting on these items, as his law firm represents the applicant.

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open for Items 15 and 16.

DOUG RANKIN, Planning and Development, indicated the item was previously held in abeyance to allow the applicant time to see if the cell tower could be located within the existing tavern sign at the subject location. The cell tower and related equipment would be located within

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the parking lot, which would eliminate one parking space. If the requested parking variance was denied, the owner could combine the two parking lots into one, which would alleviate the parking variance. Staff felt the variance was self-imposed and recommended denial on both items.

SHANE HENNESSY-YORK, 7030 Smoke Ranch Road, appeared on behalf of the applicant and informed the Commission that the Big Dog's property owner did not want the applicant's antennas located on his signage. Therefore, the applicant agreed with the Commission's previous suggestions, which were to construct a slim line tower with all of the antennas and microwave dish located within the pole and not to have any lights on the pole.

TODD FARLOW, 240 North 19th Street, believed the variance should be denied, given the lack of support from the Big Dog's owner.

COMMISSIONER TRUESDELL supported the Variance, as it is for one less parking space and there have been no past concerns with deficient parking. COMMISSIONERS TRUESDELL and EVANS both preferred to reduce the height of the pole to 60 feet, to which MR. HENNESSY-YORK agreed to. Having the height reduced would lessen the impact on residential in the area.

CHAIR TROWBRIDGE declared the Public Hearing closed for Items 15 and 16.